

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ROOM 1210, U.S. COURTHOUSE
OKLAHOMA CITY, OKLAHOMA 73102

Date: February 17, 2022

RICHARD GLOSSIP, et al.,)	
)	
Plaintiffs,)	
)	
-vs-)	Case No. CIV-14-665-F
)	
RANDY CHANDLER, et al.,)	
)	
Defendants.)	

ENTER ORDER:

The court has reviewed the motion to compel, doc. no 611, the response and the reply. Counsel--officers of the court--make conflicting representations of fact as to what exists and what has, and has not, been produced. Also apparently at issue is the defendants' obligation to produce documents within the control of other officers and agencies of the State of Oklahoma. The court now rules that that obligation extends to documents and objects *within the practical control* of the defendants or their counsel, or which defendants or their counsel *have the ability to obtain*. The defendants are represented by the office of the Attorney General of the State of Oklahoma. The court is highly unlikely to acquiesce in any representation that documents or objects which have been requested, are within the scope of discovery as defined by Rule 26, and are in the possession of a state officer or agency, are not available to the Attorney General. Plaintiffs and defendants are **ORDERED** to appear, in the person of at least one counsel of record from each side, at the chambers of the assigned judge at 8:30 a.m. on February 23, 2022. Counsel will be provided a place to further discuss the matters presented by the motion to compel. Any matters remaining unresolved will be addressed in a hearing in open court at 11:30 a.m. on February 23, 2022. If a hearing is necessary, counsel should be prepared to go under oath, to be examined by the court (and perhaps by opposing counsel), as to any factual issues relevant to the court's resolution of the issues presented by the motion. Any conduct (i) clearly amounting to a misrepresentation to the court (either in the briefs or at the hearing), or (ii) clearly amounting to an unjustified withholding of discoverable material, will be dealt with by the

court under the applicable provisions of Title 28, the Federal Rules of Civil Procedure, or the court's inherent power.

By direction of Judge Stephen P. Friot, we have entered the above enter order.

Carmelita Reeder Shinn, Clerk

By: s/ Lori Gray
Deputy Clerk

cc: all parties

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